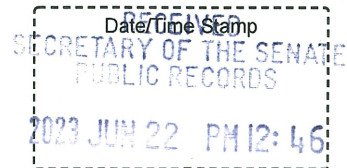


RE-3 Senators and Officers Post Travel Disclosure of Travel Expenses

Post Travel Filing Instructions: Complete this form within **30 days** of returning from travel. Submit all forms to the Office of Public Records in 232 Hart Building. **This form is a public disclosure. The form and all attachments will be made publicly available.**



Certification: *In compliance with the Regulations Governing Privately Sponsored Travel, Senate Rule 35, and the Honest Leadership and Open Government Act of 2007, I certify that I accepted the following gift of privately sponsored travel:*

Private Sponsor(s):

Bard College

Travel Dates:

5/26/2023-5/28/2023

Name of accompanying family member (if any):

N/A

Relationship to Traveler:

Total Expenses

Transportation Expenses	Lodging Expenses	Meals Expenses	Other Expenses (Amount & Description)
2017.80	300.00	75.00	N/A

I also certify that attached to this form are all required documents for post travel disclosure, including:

- The final **Private Sponsor Travel Certification Form** with all attachments
- The final invitation
- The final approved itinerary

I certify that all trip information reflected in the attachments above accurately reflects the travel that I accepted. If there were any changes to the trip after I received approval from the Committee, the changes are described in ATTACHMENT 1.

I have made a determination that the expenses set out above in connections with travel described in the Employee Pre-Travel Authorization form, are necessary transportation, lodging, and related expenses as defined in Rule 35.

6/13/23

Date

Signature of Senator/Officer

ATTACHMENT 1 – CHANGES FROM APPROVED PRE-TRAVEL

Note: Material changes to a trip that occur after the Committee has issued an approval letter may invalidate the Committee's approval. Please contact the Committee with any questions regarding changes to an approved trip.

Were there any changes to the pre-approved travel expenses? (Transportation, Meals, Lodging, Other)?

☐ Yes ☒ No

Expense Change	Revised Amount	Explanation

Were there any changes to the pre-approved itinerary?

☐ Yes ☒ No

Explanation:

Were there any additional changes to the pre-approved trip?

☐ Yes ☒ No

Explanation:

CHRISTOPHER A. COONS, DELAWARE, CHAIRMAN
JAMES LANKFORD, OKLAHOMA, VICE CHAIRMAN

BRIAN SCHATZ, HAWAII
JEANNE SHAHEEN, NEW HAMPSHIRE

JAMES E. RISCH, IDAHO
DEB FISCHER, NEBRASKA

SHANNON HAMILTON KOPPLIN, CHIEF COUNSEL AND STAFF DIRECTOR
WILLIAM B. CABLE, CHIEF CLERK

HART SENATE OFFICE BUILDING, ROOM 220
SECOND AND CONSTITUTION AVENUE, NE
WASHINGTON, DC 20510-6425

TELEPHONE: (202) 224-2981
FACSIMILE: (202) 224-7416
TDD: (202) 228-3752

United States Senate

SELECT COMMITTEE ON ETHICS

May 24, 2023

The Honorable Raphael Warnock
United States Senate
Washington, DC 20510

Dear Senator Warnock:

This responds to your recent correspondence requesting approval from the Select Committee on Ethics (the Committee) to accept an invitation you received to travel to Bard College's 163rd Commencement Ceremony in Annandale-on-Hudson, New York, on May 26–27, 2023, sponsored by Bard College. Provided that you adhere to the guidance set forth below, it appears that it is permissible for you to accept necessary expenses from Bard College in connection with this trip.

Background

Based on your communication with the Committee, the background in this matter is as follows.¹ Bard College invited you to travel Bard College's 163rd Commencement Ceremony in Annandale-on-Hudson, New York, on May 26–27, 2023. Bard College certified to the Committee that it will pay the necessary expenses² related to the travel and that it is neither a lobbyist, lobbying firm, agent of a foreign principal, or otherwise acting as a representative or agent of a foreign government. Although Bard College retains or employs a federally registered lobbyist or foreign agent, Bard College has certified that it is an organization designated under § 501(c)(3) of the Internal Revenue Code³ and that no registered lobbyist or agent of a foreign principal will accompany you at any point throughout your trip.⁴

Discussion

Privately-sponsored travel includes any gift of travel and travel-related expenses for travel outside the Senate duty station, including transportation, lodging, food and refreshments, and conference fees and materials, whether paid for directly, reimbursed, or provided directly, from a private individual or entity, in connection with a Member's, officer's, or employee's official Senate duties. Incorporating reforms from the Honest Leadership and Open Government Act of 2007 (HLOGA), Pub. L. 110–81 (2007), Senate Rule 35.2 permits Members, officers, and employees to accept privately-sponsored travel only with the prior written approval of the Committee.

¹ If this letter does not correctly recite the facts, contact the Committee immediately.

² The term "necessary expenses" has a specific definition. See *Select Committee on Ethics' Regulations and Guidelines for Privately Sponsored Travel* at 10.

³ 26 U.S.C. § 501(c)(3).

⁴ The term "any point throughout your trip" has a specific definition. See *id.* at 15.

The Committee's approval process is governed by the *Regulations and Guidelines for Privately Sponsored Travel (Travel Regulations)*. The *Travel Regulations* contain detailed requirements regarding who may sponsor travel; time limits for trips; and the type and amount of expenses that can be reimbursed.

Entities that do not retain or employ a lobbyist or foreign agent and all non-profit organizations designated as tax-exempt organizations under § 501(c)(3) of the Internal Revenue Code of 1986, regardless of whether they retain or employ a lobbyist or foreign agent, may sponsor domestic trips for up to three days. The three-day limitation means three 24-hour periods, calculated from the time of arrival in the trip location to the time of departure from the trip location. For such trips, neither lobbyists nor foreign agents may accompany a Senate invitee at any point throughout the trip, other than in a *de minimis* way.⁵ This means that neither lobbyists nor foreign agents may accompany Senate invitees at any point to and from the event, at the event itself, or at the location being visited.⁶

Under Senate Rule 35, a Senator or officer who receives payment or reimbursement for necessary expenses related to fact-finding travel must disclose those expenses to the Secretary of the Senate by filing the completed *Senators and Officers Post-Travel Disclosure of Travel Expenses* (Form RE-3), along with a copy of the *Private Sponsor Travel Certification Form*, and all relevant attachments (e.g., the private sponsor's invitation and itinerary) **within 30 days of the conclusion of Privately-Sponsored Travel**.

Consistent with these standards and Committee precedent and Bard College's factual representations, it appears that it is permissible for you to accept necessary expenses from Bard College in connection with this trip, provided that the actual travel and travel-related expenses conform to the information and materials you provided, and the travel and all required documents are disclosed to the Secretary of the Senate (Office of Public Records).

Finally, Senate Rule 34 requires a Member, on his or her Financial Disclosure Report, to make an annual disclosure of the receipt of payments or reimbursements under Senate Rule 35 from a private sponsor for officially-related travel expenses where, in the aggregate, travel expenses exceed \$480 from that sponsor during a calendar year. However, if a Member, officer, or employee properly reports the receipt of necessary expenses for such travel to the Secretary of the Senate within 30 days of the travel, as discussed above, the travel expenses need not be disclosed a second time on their Financial Disclosure Report.

I hope you find this information helpful. If you have any additional questions, please do not hesitate to contact the Committee.

Sincerely,



Shannon Hamilton Kopplin
Chief Counsel and Staff Director

Enclosure: Travel Checklist

⁵ The term "*de minimis*" has a specific definition. *See id.* at 6-7.

⁶ *See id.* at 7-8.

Trip Name: Bard College 163rd Commencement**Organization Information****Organization Name:**

Bard College

Is your organization classified as a §501(c)(3)?☒ Yes☐ No**If Yes, §501(c)(3) Organization Type:**☐

Private Foundation

☒

Public Charity

Address:

PO Box 5000

Phone Number:

845.758.6822

City, State, Zip:

Annandale-on-Hudson, NY 12504

Organization URL:

www.bard.edu

History of Congressional Travel

Describe your organization's history of sponsoring congressional travel.

Bard has a long history of inviting distinguished and highly inspiring men and women in their fields to deliver a Commencement address, a number of them have been congressional leaders. Just as we have done for Commencement speakers in the arts and in the sciences, we support reasonable travel costs for congressional visitors to speak at our Commencements. Congressional speakers in the past 10 years have included John Lewis, Gabrielle Giffords and Nancy Pelosi. Bard College paid for necessary travel costs for these visitors.

Educational Activities

Describe the educational activities performed by your organization other than sponsoring congressional travel.

Bard College, founded in 1860, is an independent liberal arts institution located in the Hudson Valley, about 90 miles north of New York City. The College blends traditional liberal arts and sciences with innovation to provide real-world contexts for each major. Undergraduates can earn a bachelor of arts degree in nearly 40 academic programs in four divisions. The pillars of each student's education is built upon 5 traditions - the Language and Thinking Program, First-year Seminar, Citizen Science, Moderation and the Senior Project. Bard has 1800 undergraduates and more than 600 graduate students. The campus covers 1000 acres.

Lobbyist and Foreign Agent Registration Information**Lobbyist Registration Status (Select one):**☐

I certify that the sponsor is not a federally registered lobbyist and does not retain or employ a federally registered lobbyist.

☒

I certify that the sponsor is not a federally registered lobbyist but does retain or employ one or more federally registered lobbyists.

Foreign Agent Registration Status (Select one):☒

I certify that the sponsor is not an agent of a foreign principal and does not retain or employ an agent of a foreign principal.

☐

I certify that the sponsor is not an agent of a foreign principal but does retain or employ one or more agents of a foreign principal.

Foreign Government Involvement**Foreign Agent Registration Status (Must select all):**☒

I certify that the sponsor is not a foreign government.

☒

I certify that the sponsor is not an entity that is owned or operated by a foreign government.

☒

I certify that the sponsor does not receive funding from a foreign government.

Purpose and Details

Provide a brief description of the trip.

Senator Reverend Raphael Warnock will attend an Honorary Degree Luncheon the morning of Commencement. The luncheon will be held at the home of Bard College President Leon Botstein on campus, and it will be attended by all of the other honorary degree recipients and their guests, by Chairman of the Board James C. Chambers, and our trustees. Senator Reverend Raphael Warnock will give a Commencement address for the College's 163rd Commencement on Saturday, May 27, 2023. During the Commencement and after he has delivered his address, Senator Warnock will join 8 others in receiving honorary degrees conferred by President Botstein.

Explain how the purpose of the trip relates to your organization's mission.

Bard College's mission is to provide a quality liberal arts education to as diverse a community as possible. Our student body represents a breadth of academic pursuits and proudly engages in initiatives to encourage education and growth in underserved communities nearby and around the world. Commencement is an annual tradition which recognizes the deep academic commitment of our graduates who have not only their individual scholarly accomplishments of which to be proud, but also to acknowledge their support of efforts to improve the public interest. A Commencement speaker, especially one as devoted to serving the public good as is Senator Reverend Raphael Warnock, is held in highest regard as the single figure who asks the graduates to go forward with inspiration, direction and confidence to better the world.

Is your organization the only sponsor for this trip?

☒ Yes ☐ No

If No, describe your organization's role in planning the trip.

If there are multiple sponsors, each sponsor must submit Organization Information (Page 1 of the Private Sponsor Travel Certification Form) and a Signature Page Form.

Grantmaking Organizations (Optional)

If you have a Grantmaking Organization, you must attach a Grantmaking Organization Certification Form.

- 1.
- 2.
- 3.

With or Without Regard to Congressional Participation (Select one):

- ☒ The trip is arranged or organized without regard to congressional participation.
- ☐ The trip is arranged or organized with regard to congressional participation.

Lobbyist/Foreign Agent Involvement in Planning, Organizing, Requesting or Arranging

- ☒ The trip will not in any part be planned, organized, requested, or arranged by a registered lobbyist or agent of a foreign principal, other than de minimis involvement.

Lobbyist/Foreign Agent Financing (Must select all):

- ☒ The trip will not be financed in any part by a registered lobbyist or agent of a foreign principal.
- ☒ No funds or in-kind contributions were earmarked directly or indirectly for the purpose of financing this specific trip from a registered lobbyist or agent of a foreign principal or from a private entity that retains or employs one or more registered lobbyists or agents of a foreign principal.

Lobbyist/Foreign Agent Accompaniment

Complete if all sponsors are §501(c)(3) organizations (Select one):

- ☒ The trip is limited to three days (for trips inside the continental United States) or seven days (for trips outside the continental United States), and no lobbyist or agents of a foreign principal will accompany the Member, officer, or employee at any point throughout the trip
- ☐ The trip is limited to a one-day event (exclusive of travel time and one overnight stay) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee on any segment of the trip
- ☐ The trip is limited to a one-day event (exclusive of travel time and two overnight stays) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee on any segment of the trip

Complete if any of the sponsors is not a §501(c)(3) organizations (Select one):

- ☐ The trip is limited to three days (for trips inside the continental United States) or seven days (for trips outside the continental United States), and no lobbyist or agents of a foreign principal will accompany the Member, officer, or employee at any point throughout the trip
- ☐ The trip is limited to a one-day event (exclusive of travel time and one overnight stay) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee on any segment of the trip
- ☐ The trip is limited to a one-day event (exclusive of travel time and two overnight stays) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee on any segment of the trip

Certification of No Recreational Activity and No Alcohol (Must select all):

- ☒ Travel expenses paid for will not include expenditures for recreational activities.
- ☒ Travel expenses paid for will not include expenditures for alcohol, except as permitted by the Regulations Governing Privately Sponsored Travel.

Will members and staff from the House of Representatives receive invitations?

- ☐ Yes ☒ No

Travel Details (Submit additional pages as needed)

Trip Start Date/Time:

5/26/23 8:15PM LGA



Trip End Date/Time:

5/27/23 9:30PM JFK

Will the traveler be accompanied by a family member for whom the sponsor will pay travel expenses?

☐ Yes ☒ No

Transportation (Member/Officer/Employee: \$2017.80 Accompanying Family Member: \$0)

Transportation Type	Class	Amount
Flight DL409 ATL-LGA Term C	Business	RT total \$1117.80
Flight DL1248 JFK-ATL Term 4	Business	
Executive Car Service: LGA-Bard 5/26/23 PU 8:30pm	Business	\$450
Executive Car Service: Bard-JFK 5/27/23 PU 5:00pm	Business	\$450

Details (optional)

Lodging (Member/Officer/Employee: \$300.00 Accompanying Family Member: \$0)

Check-In	Check-Out	Facility	City	State	Country
5/26/23	5/28/23	Finberg House	Red Hook	NY	USA
Nights	Cost/Night	Cost Exceed Per Diem (Yes/No)	If Yes, please explain why expenses over the per diem rate are reasonable and necessary.		
1	\$300	yes	The Finberg House is a college-owned guest house offered to guest speakers of the College. The lodging expenses are over the per diem rate and necessary because of the proximity to the campus and comfort to the speaker. The rate is determined based on comparable rates to similar rental properties in the area.		

Check-In	Check-Out	Facility	City	State	Country
Nights	Cost/Night	Cost Exceed Per Diem (Yes/No)	If Yes, please explain why expenses over the per diem rate are reasonable and necessary.		

Check-In	Check-Out	Facility	City	State	Country
Nights	Cost/Night	Cost Exceed Per Diem (Yes/No)	If Yes, please explain why expenses over the per diem rate are reasonable and necessary.		

Meals (Member/Officer/Employee: \$ 75.00 Accompanying Family Member: \$ 0)

Date	Breakfast	Lunch	Dinner	Incidentals	Total	City	State	Country	Cost Exceeds Per Diem (Y/N)
5/27/23		\$75.00			\$75.00	Red Hook	NY	USA	Y

If costs exceed the federal per diem, please explain why expenses over the per diem rate are reasonable and necessary.

The Finberg House is a college-owned guest house offered to guest speakers of the College. The meal cost is necessary to attend the Honorary Degree Luncheon at which the speaker is being honored.

Reasonable Miscellaneous Expenses

(Member/Officer/Employee: \$ 0 Accompanying Family Member: \$ 0)

Expense Type	Amount	Notes
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Additional Details (optional)

PRIVATELY SPONSORED TRAVEL

SPONSOR SIGNATURE PAGE

I hereby certify that the information submitted in connection with the trip listed below is true, complete, and correct to the best of my knowledge and belief.

Trip Name: Bard College's 163rd Commencement
Travel Date(s): May 26 - May 28, 2023
Travel Destination(s): Annandale-on-Hudson, NY 12504


Sponsor: Bard College

Janet Stetson

(printed name of sponsor representative)

Commencement Coordinator, I

(title)


(signature of sponsor representative)

May 23, 2023

(date)

Senator Warnock's Itinerary to Bard College May 26-28, 2023**Friday, May 26**

5:45 pm – 8:15 pm

8:15 pm

8:15 pm – 8:30 pm

8:30 pm

10:25 pm

Flight DL 409 ATL to LGA**Land at LGA****Make contact with Car Svc, meet curbside****Pick up from airport***Drive time 1 hour 55 minutes***Arrive at Bard College, Finberg House****End of Day****Saturday, May 27**

8:00 am – 9:00 am

9:00 am – 11:00 am

11:15 am – 11:30 am

11:30 am – 1:30 pm

Breakfast on our own**Executive Time****Move to Honorary Degree Luncheon, President's****Honorary Degree Luncheon at President's House**

Luncheon hosted for all recipients of Honorary Degrees including John Carlos, athlete who made history on 1968 Olympic Games podium; Anna Deavere Smith, playwright; Sandra Cisneros, novelists; George Ball, renowned seed-grower and breeder; Dr. Caitlin Bernard, global health advocate; Robin Kelley, author; Barabra Liksov, award winning researcher; Orville Schell, journalism professor; and members of Bard College's Board of Trustees as their schedules allow.

1:30 pm – 2:00 pm

Robing for Commencement

Luncheon guests will receive the hood, a traditional academic dress, and have time to adjust wardrobe as needed.

2:00 pm – 3:00 pm

Line up and Processional

3:00 pm – 5:00 pm

Bard College Commencement Ceremony

The classes of 2023 and honorary degree awardees will be celebrated in front of family and friends. James Chambers, chair of the Board of Trustees of Bard College will preside over the ceremony as Right Reverend Andrew Dietsche officiates. Senator Warnock will deliver the Commencement address

5:00 pm

Senator departs, Car Svc to JFK*Drive time 2 hours 10 minutes*

7:10 pm

Arrive at JFK Airport

7:10 pm - 9:30 pm

Awaiting boarding/boarding

9:30 pm – 12:13 am

Flight DL 1248 JFK to ATL**Sunday, May 28**

12:13 am

Arrive at ATL**End of trip**

Bard College

Office of the President

March 7, 2023

Senator Raphael Warnock

(via email transmittal: Mark.Libell@warnock.senate.gov, Stuart.Guillory@warnock.senate.gov, and Nicole.Marquez@warnock.senate.gov)

Dear Senator Warnock:

It is both an honor and a privilege for me to write on behalf of the Board of Trustees of Bard College to extend to you this formal letter of invitation to receive an honorary degree and give the address at Bard's 163rd Commencement in May. To say that I hope you are inclined and that your schedule will allow you to accept would be an understatement. It would be a great honor for Bard to have you with us and to use the occasion to mark your own distinguished career in the public service. I believe you know James Cox Chambers, an alumnus of Bard from the class of '81, who is the chairman of our board, and a great admirer of yours. We are most grateful to him for his engagement with our students and his life-long devotion to the College. His mother, the late Anne Cox Chambers was a distinguished diplomat, and a patron of the arts and philanthropist in Atlanta, Georgia.

In case you are not acquainted with Bard, it is a liberal arts institution that seeks to act at the intersection of education and civil society. Through its undergraduate college, distinctive graduate programs, its commitment to the fine and performing arts, and its network of international dual-degree partnerships, early colleges, prison education initiatives, and civic and public engagement programs, Bard offers unique opportunities for students and faculty to study, experience, and realize the principle that higher education institutions can and should operate in the public interest.

We are particularly proud of the Bard Early Colleges. Charles S. Johnson III, a Bard alumnus and trustee, serves on the network's advisory board. Our campuses in New York City (Manhattan, Queens, and the Harlem Children's Zone), Newark, New Orleans, Cleveland, and Baltimore enable young people in urban public schools to earn a tuition-free Associate in Arts degree from Bard during high school. These high school early colleges reflect the communities they serve, including inner cities in which access to college is drastically limited. Many of our students are the first in their families to earn a college degree; 74 percent are students of color. We are also proud of the Bard Prison Initiative, which offers credit-bearing course work leading to associate's and bachelor's degrees at six sites in New York State and support for the establishment of new programs across the country through the national Consortium for the Liberal Arts in Prison. The Bard College Clemente Course in the Humanities, an immersive

Bard College

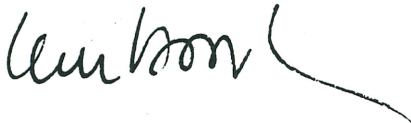
Office of the President

opportunity for low-income adults to gain access to high-quality liberal arts and sciences education, was recognized this year with a National Humanities Medal.

I only want to add that Bard's commencement is a warm, celebratory occasion that focuses on the accomplishments of the graduating class. Those to whom we grant honorary degrees are chosen because they exemplify the attributes we try to instill in our students, and it is for that reason we hope you will be able to join us. The festivities will be held on Saturday, May 27th. We would be deeply honored should you be inclined and able to accept our invitation. I hope very much that will be the case and look forward to hearing from you.

With kind regards, I am,

Cordially,

A handwritten signature in black ink, appearing to read "Leon Botstein", with a long, sweeping horizontal line extending to the right.

Leon Botstein